

Employer Guide

Fund Selection for the South Australian Public Sector

Effective 30 November 2022

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This Employer Guide provides information to assist South Australian Government employers to understand their obligations in relation to Fund Selection.

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Super SA encourages all employees to seek their own financial advice in relation to their personal needs and the options available to them, including Fund Selection.

Common terms

To help you make the most of this guide, here are some key terms to understand¹:

Employer

When we use the word **employer** in this guide, we mean:

- the department, agency, or other South Australian Government entity that is paying wages to an employee
- anyone working on behalf of the employer to ensure it meets its obligations regarding Fund Selection. This will generally be people from Human Resources, but may include line managers and administrative staff, depending on how responsibilities are structured in the organisation.

Employers need to provide forms and requests to their payroll provider in a timely manner to allow for requests to be actioned by their service provider within the legislated timeframes. These timeframes may be outlined in the service level agreements between the employer and payroll provider where applicable.

Fund Selection

Fund Selection is the term that applies to a Super SA member, who is currently a South Australian public sector employee, choosing to direct their super to another super fund. It is important to note that most new South Australian public sector employees are automatically Triple S members with Super SA.

Fund Selection Notice

A Fund Selection Notice is the form filled out by employee and employer to make a valid fund selection.

Throughout this document, the Fund Selection Notice may also be referred to as 'the form'.

Payroll

The payroll function plays an important role in Fund Selection. When we use the word payroll, we mean:

- Shared Services
- other centralised payroll teams
- internal payroll teams that process wage payments for employees.

Triple S

Triple S is the default super fund for South Australian public sector employees. It is a tax-deferred fund administered by Super SA.

Super SA Select

Super SA Select is a taxed fund administered by Super SA.

Fund Selection

Governing legislation

Fund Selection is administered under the Southern State Superannuation Act 2009 (the Triple S Act).

The superannuation stapling requirements set out in the Australian Government's *Your Future*, *Your Super Reforms* **do not apply** to South Australian Government employer contributions. The super requirements of South Australian Government employers are set out in the Triple S Act.

Triple S is the default fund

Super SA's Triple S fund will remain the default fund for South Australian Government employer contributions. This means:

- South Australian public sector employees who are already members of Triple S will remain as members of Triple S unless they make a fund selection
- most new South Australian public sector employees automatically become Triple S members, and will remain as members of Triple S unless they make a fund selection
- if an employer can no longer contribute to an employee's selected fund, and the employee does not return a Fund Selection Notice within 14 days of being provided the form, the employee defaults to Triple S and contributions (including any contributions in arrears) will be made into Triple S.

About Fund Selection

Fund Selection allows eligible members of Triple S and Super SA Select (Super SA's taxed super fund), including most new South Australian public sector employees, to direct their South Australian Government employer contributions, in respect of a particular employer, to a complying super fund of their choice.

Eligible South Australian public sector employees will have the ability to make subsequent fund selections, including redirecting their South Australian Government employer contributions back to Triple S or Super SA Select.

If an employee has more than one South Australian Government employer and wishes to make a fund selection, a separate form is required for each employer.

An employee cannot split the contributions from a single employer across multiple super funds.

Fund Selection is voluntary. Current Triple S or Super SA Select members don't need to take any action if they would like to keep their super contributions being directed to Super SA.

Eligibility

The Fund Selection rules are contained within the Triple S Act.

Who is eligible?

Triple S members (including new South Australian public sector employees) will be eligible for Fund Selection where their government employer is required, under the Triple S Act, to make standard employer contributions to Triple S (or to another fund following a fund selection, including Super SA Select) at the superannuation guarantee (SG) rate, unless expressly excluded.

Special arrangements apply to Triple S members from South Australia Police (SAPOL) and the South Australian Ambulance Service (SAAS). Please refer to page 21 for more information.

Who is not eligible?

Employees whose standard employer contributions are being paid to the following funds and schemes administered by Super SA are not eligible for Fund Selection:

- Governors' Pensions Scheme
- Judges' Pensions Scheme
- Lump Sum Scheme
- Parliamentary Superannuation Scheme
- Pension Scheme
- Police Pension Scheme
- SA Ambulance Service Superannuation Scheme.

Some members of Triple S, who have government employers contributing to this fund, are expressly excluded from Fund Selection. This is generally where the contributions being made are not of the nature of the standard super arrangements referred to in the **Who is eligible?** section.

Those expressly excluded are:

- members of other government schemes, who are solely members of Triple S for the purpose of salary sacrifice or government co-contribution payments
- members receiving 3% contributions as a result of the previous Public Sector Employee Superannuation Scheme (PSESS) entitlement
- members of other government schemes who become members of Triple S to ensure the government satisfies the requirements of the Superannuation Guarantee (Administration) Act 1992 (eg Lump Sum Scheme contributors who have reduced their contributions to zero).

Making a fund selection

Fund Selection Notice

Fund Selection applies for each employer. If a person has more than one South Australian Government employer, they will need to complete a Fund Selection Notice for each individual employer if they want all their employer contributions to go to their selected fund.

The Fund Selection Notice includes information on when to provide the form and what the employer must complete.

Fund Selection Notice For use by SA Government employers when offering employees fund selection and by employees to advise their employer of their selected fund. Please complete all the details on this form in **BLOCK LETTERS** using a **BLACK PEN** and return to your employer via post or email. A fund selection notice form is required for each SA Government employer you work for. A new fund selection notice form is required if you move to another SA Government employer (subject to eligibility under the Triple S Act). 1. Personal details Title Family Name Employer (This is the ABN entity listed on yo Employee Number(s) (If you are a ne w employee and do not have a number leave this section blank Employee Email Address (ess to enable payroll to contact you if required ir 2. Fund selection (Please tick one box as you can only make one selection) **Operational SA Ambulance employees** Excluding Operational SA Ambu (and Cadets) es & active Police Of & active Police Officers (and Cadets) ONLY I request that all my future super contributions be paid to I request that all my future super contributions be paid to: OPTION 1 OPTION 1 Triple S (Super SA's default untaxed accumulation scheme) Triple S (Super SA's default untaxed accumulation sche OPTION 2 OPTION 2 Super SA Select (Super SA's taxed accumulation fund) Super SA Select (Super SA's taxed accumulation fund) If you don't already have a Super SA Select account please contact Super SA's Member Services team be submitting the form on **1300 369 315**. If you don't already have a Super SA Select account please contact Super SA's Member Services team before submitting the form on **1300 369 315**. (!)Services team before 1 If you choose to nominate either Option 3 or Option 4 – all fields must be completed along with providing all required documentation. OPTION 3 Other Complying Funds - Australian Prudential Regulation Authority (APRA) Fund or Retirement Savings Account (RSA) Name of fund ! Required documentation for non Super SA schemes. a complying fund and that they will accept contributions from your employer. Correct information about your super fund is needed before your employer can pay super contributions to the nominated fund. You need to attach a letter from your fund stating that they are Super fund member numbe Super fund Australian Business Number (ABN) I have supplied the required information Super fund Unique Super Identifier (USI) OFFICIAL: SENSITIVE (when completed) DATE OF ISSUE: 7 JUNE 2023 PAGE 2 OF 5 ASFM51

Employer action

An employer must provide a Fund Selection Notice:

- immediately when a new employee commences employment (including an employee who recommences South Australian public sector employment after a break in service - see page 12 for information about breaks in service)
- within 28 days of a request for a form being received from an existing employee
- within 28 days of an employer becoming aware that it can no longer contribute to an employee's selected super fund or it is no longer a complying fund. If an employee does not return the form to their employer within 14 days of being provided the form, then Triple S becomes the default fund and contributions (including all contributions in arrears since the employer could no longer contribute to the fund) must be made into Triple S.

An employer is not obliged to accept the form without the required information. The employer may, however, liaise with the employee to correctly complete the form.

A fund selection is only taken to have been made once the form is validly completed and received by the employer. From this time, the employer has **two months to begin making contributions** to the selected fund. In the meantime, employers must continue to contribute to the employee's existing fund (eg Triple S) **within seven days** of payment of salary.

Once a valid form has been received and assessed for eligibility by the employer, it must be passed on to payroll as soon as possible.

Shared Services SA customers:

You should refer to the Service Design/ Operating Responsibilities which is provided for each service delivered to clients for Fund Selection responsibility and timeframes.

$\stackrel{\triangle}{}_{\stackrel{}{\xrightarrow}}_{\stackrel{}{\xrightarrow}}$ Employee action

New South Australian public sector employees have two options when receiving the form:

- Do nothing all South Australian Government employer contributions will be directed to Triple S or
- 2. Return the Fund Selection Notice to their employer with details of their new super fund (including Super SA Select)

If an employee chooses to make a fund selection, it is the responsibility of the employee to provide all required details on the form.

Employer contributions following a fund selection

On receipt of a Fund Selection Notice, the employer must assess whether the employee is eligible, ensure the Fund Selection Notice has been completed correctly, and complete Section 6 of the form, which includes details of the fund selection acceptance.

3

Employer action

The employer has **two months** from receipt of a valid Fund Selection Notice to commence contributing to the employee's selected fund, including any applicable salary sacrifice contributions (see page 18 for more information), but should begin payments earlier if possible. Employers must provide their payroll provider with the form as soon as possible to enable it to be processed within the timeframes required under the Triple S Act.

If an employee selects a super fund, other than Triple S or Super SA Select, super contributions will be paid to the new fund via SuperStream or via an approved clearing house.

In the meantime, the **employer must continue to pay super contributions** to the current selected fund (or default super fund if no fund selection has been made) **within seven days** of salary being paid.

It is important to note that even if an employee selected another super fund, the employer contributions payable to the selected fund are still determined under the Triple S Act.

This includes:

- The definition of salary² used to determine the employer contribution
- Timing of contribution payments within seven days of an employee's salary being paid
- Super is paid on all of an employee's salary³

Super SA must be notified of an employee's first fund selection **within 14 days** from the date the first contribution was made to the selected fund. Fund selection will take effect on the date that the first contribution is made to the selected fund, which is relevant to the employee's insurance coverage. This will normally be done via the contribution remittance process undertaken by their payroll provider.

Shared Services SA customers:

You should refer to the Service Design/ Operating Responsibilities which is provided for each service delivered to clients for Fund Selection responsibility and timeframes.

2 Salary in relation to a member includes all forms of remuneration (including non-monetary salary) received by the member except a. remuneration related to overtime (other than remuneration related to overtime that is paid by way of an annual allowance); or

- b. an amount paid in lieu of
 - i. recreation leave; or
 - ii. long service leave; or
 - iii. any other kind of leave, on the termination of the member's employment; or
- c. an amount paid to the member as a consequence of the termination of the member's employment.

3 The exception to this is where the selected fund can only accept mandated employer contributions (e.g. for members over age 75), in which case the obligation under the governing legislation for the employer to contribute will be limited to the maximum salary contribution base set by the Commonwealth.



Subsequent fund selections

The employee will have the ability to make subsequent fund selections, including redirecting their South Australian Government employer contributions back to Triple S or Super SA Select.

An employer is not obligated to accept subsequent fund selections within 12 months of the last fund selection.

Break in service

If a person ceases employment and then recommences employment with their previous South Australian Government employer within the timeframes outlined in the table below, their fund selection will remain valid with that previous employer.

If a person recommences employment with a previous employer outside these timeframes, this is considered a break in service and employer contributions must be paid to Triple S unless a new fund selection is made.

If a person commences employment with a new South Australian Government employer, any prior fund selection will not apply and employer contributions will be paid to Triple S unless a new fund selection is made.

Type of employment:	If an employee recommences employment with the same South Australian Government employer after the following timeframes this will be considered a break in service	
Permanent employee	1 month	
Fixed term contractor ⁴	3 months	
Casual employee	12 months	



Has Peter had a break in service?

Peter is a permanent employee with his South Australian Government employer, the Department of Human Services, and he makes a fund selection to ABC Super.

Peter resigns from his employment, effective from 6 January 2024.

Peter recommences employment with the Department of Human Services on 1 July 2024.

As Peter recommences employment more than one month after the last date of his employment, he has had a break in service. Peter's fund selection to ABC Super will no longer be valid.

Peter's employer must provide a Fund Selection Notice to him immediately when he commences employment. If Peter would like his South Australian Government employer contributions to be paid to ABC Super, he must provide his employer with a valid Fund Selection Notice.

4 A fixed term contractor being an employee with a contract of employment with a fixed start date and end date.





Has Amani had a break in service?

Amani is employed as a casual employee with her South Australian Government employer, TAFE SA, and she makes a fund selection to XYZ Super.

Amani's last shift is on 1 March 2024.

Amani recommences casual employment with TAFE SA on 3 November 2024.

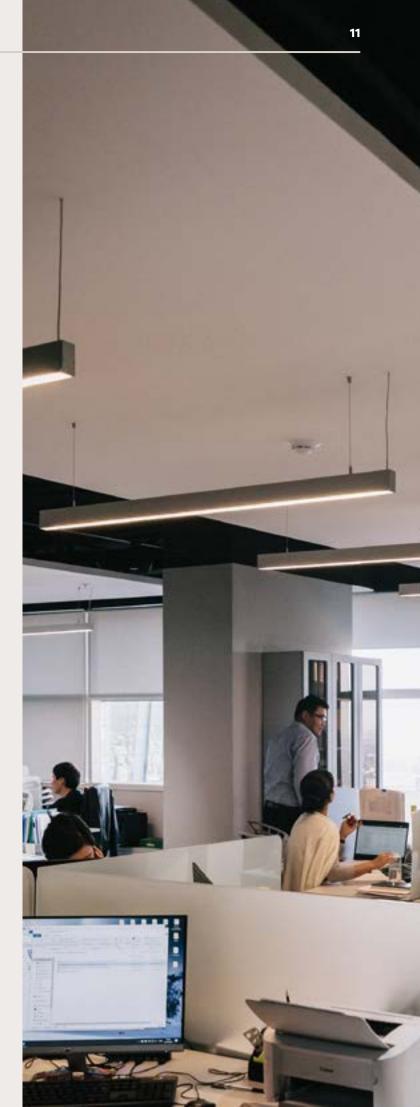
As Amani recommences employment with the same employer less than 12 months after the date of her last shift as a casual employee, her fund selection to XYZ Super remains valid and TAFE SA will continue to contribute to XYZ Super.

If Amani would like TAFE SA to contribute to a fund other than XYZ Super, she must provide her employer with a further valid Fund Selection Notice.

Amani also commences casual employment with the Electoral Commission of South Australia on 5 February 2025.

Amani's fund selection made with TAFE SA is not applicable to this new employer, because a fund selection is specific to each employer.

The Electoral Commission of South Australia must provide Amani with a Fund Selection Notice immediately when she commences her employment with them. If Amani would like the Electoral Commission of South Australia to contribute to a fund other than Triple S, she must provide that employer with a valid Fund Selection Notice.

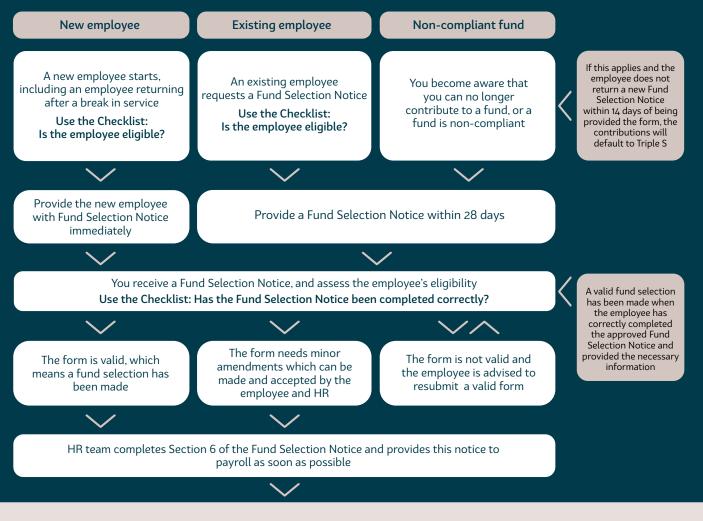


The Fund Selection process

Fund Selection allows eligible South Australian public sector employees to direct their South Australian Government employer contributions to a complying super fund of their choice.

This process flow is designed to help you understand your role in Fund Selection. It should be read in conjunction with Employer Guide: Fund Selection for the South Australian Public Sector.

Employer's Human Resources Team



Payroll (Shared Services, other centralised payroll teams, internal payroll teams)

Ensure contributions to the selected fund, including any applicable salary sacrifice contributions, commence within two months of the date the fund selection was made. In the interim, contributions will continue to the employee's existing fund (e.g. Triple S)

Notify Super SA of an employee's fund selection within 14 days of the first contribution to the selected fund (via the contribution remittance process)

Checklist: Is the employee eligible?

Fund Selection allows eligible members of Triple S and Super SA Select, including eligible new South Australian public sector employees, to direct their South Australian Government employer contributions to a complying super fund of their choice. Use the following checklist to determine each employee's eligibility for Fund Selection.

• Note: An employer is not obligated to accept subsequent fund selections within 12 months of an employee's last fund selection.
Checklist: Is the employee eligible? 1. Are you directing the employee's standard employer contributions to government schemes other than Triple S or Super SA Select?
Yes - the employee is not eligible for Fund Selection
No - please proceed to Question 2
2. Is the employee a Police Officer or Ambulance Officer? ⁵
Yes - the employee can make a fund selection to Triple S or Super SA Select. For further information please refer to guidance on page 21 of the Employer Guide: Fund Selection for the South Australian Public Sector
No - please proceed to Question 2
3. Is the employee a public sector fixed term contractor, whose employment contract states that their employer super contributions should be directed to a super fund other than Triple S? ⁶
Yes - the employee is not eligible for Fund Selection
No - please proceed to Question 4
4. Are you required to make standard employer contributions for the employee to Triple S (or to another fund, including Super SA Select, following a fund selection) at the superannuation guarantee rate? ⁷
Yes - the employee is eligible for Fund Selection
No - the employee is not eligible for Fund Selection

6 Such arrangements are generally applicable to executive employees.

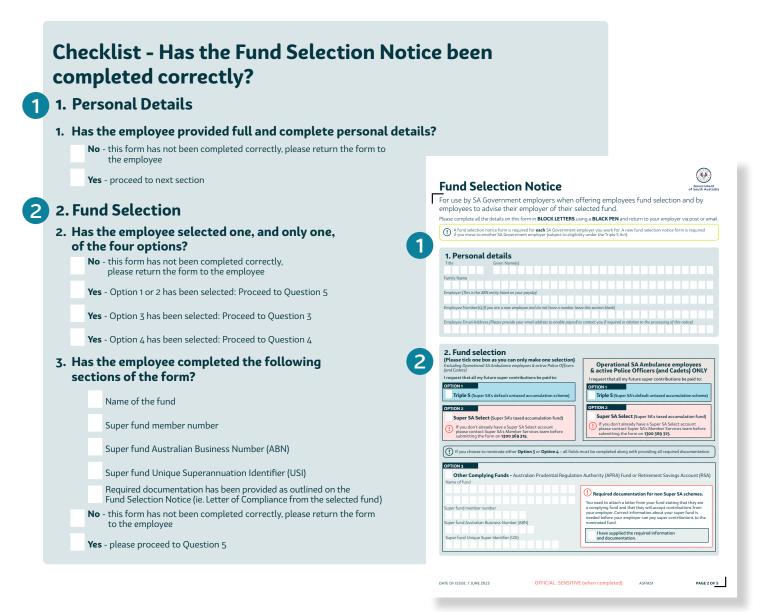


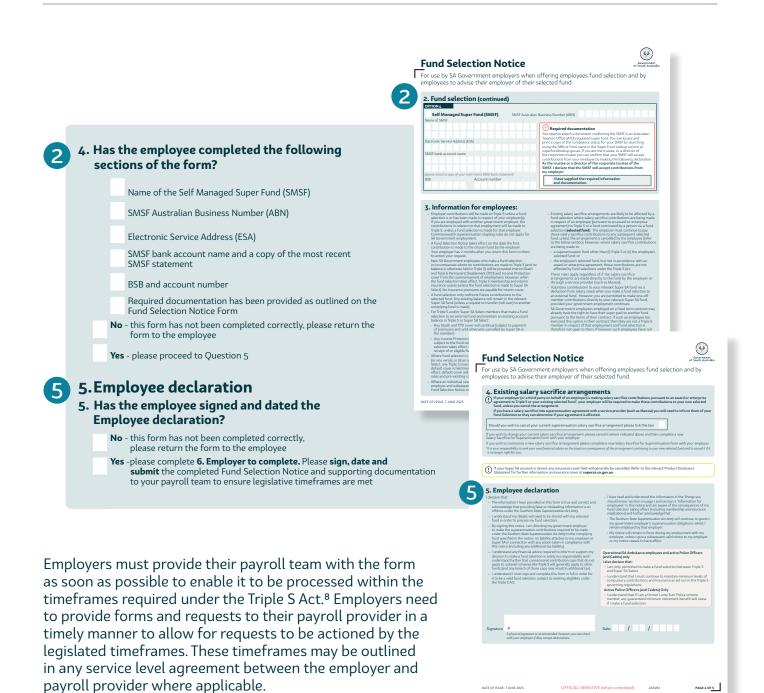
⁵ SA Police Officers, SA Ambulance operational staff and SA Ambulance staff who transferred into Triple S from the SA Ambulance Service Superannuation Scheme under age 60, excluding Police Officers who are contributors to the Police Pension Scheme and Ambulance Officers who are active members of the SA Ambulance Service Superannuation Scheme.

⁷ This does not include members of other government schemes who become members of Triple S to ensure the government satisfies the requirements of the Superannuation Guarantee (Administration) Act 1992 (eg Lump Sum Scheme contributors who have reduced their contributions to zero).

Checklist: Has the Fund Selection Notice been completed correctly?

Once an employee's eligibility has been confirmed, you can use the following checklist to help ensure each employee's Fund Selection Notice has been completed correctly before forwarding to your payroll team. This checklist should be used in conjunction with a Fund Selection Notice that has been submitted for processing.





⁸ The employer has two months from receipt of a valid Fund Selection Notice to commence contributing to the employee's selected fund, but should begin payments earlier if possible.

Salary sacrifice to a super fund

Salary sacrifice payments made in respect of an employee pursuant to the Triple S Act are likely to be affected by Fund Selection. The Fund Selection Notice captures this rule and the employee's instructions regarding existing salary sacrifice arrangements, to help you process their request.

The rules outlined in this section apply regardless of whether the salary sacrifice arrangements are being made directly to the fund by the employer or involve the use of a third-party service provider and can also be found on the Fund Selection Notice. These rules are summarised as follows:

- If a person has a salary sacrifice arrangement in place with payments being made in accordance with the Triple S Act and that person makes a fund selection, the employer will be obliged to continue to make those payments to the newly selected fund, unless the arrangement is cancelled by the member. This rule and examples of how it operates are set out on page 19.
- If however a person has a salary sacrifice arrangement in place where the payments are not being made in accordance with the Triple S Act, those payments will not be affected by a fund selection. This rule and examples of how it operates are set out on page 20.

If employers are unsure about the nature of particular salary sacrifice arrangements (ie whether the payments are being made in accordance with the Triple S Act), they should seek advice from their legal advisor. () Employees should be encouraged by their employer where possible to seek their own financial advice on whether the automatic continuation of their salary sacrifice agreement to a taxed fund is in their best interests (noting there are likely to be tax consequences for those making salary sacrifice contributions to Triple S in excess of the concessional contribution cap and who continue to do so in their selected fund).

Processing fund selection requests when salary sacrifice arrangements are in place

If an employee makes a fund selection and they have a salary sacrifice arrangement in place which the employer is obliged to continue to pay to the newly selected fund (see page 19), the employer must ensure that both the fund selection and salary sacrifice changes are both processed by payroll, unless the salary sacrifice arrangement is cancelled by the employee. The Fund Selection Notice makes provision for employees to tick a box to cancel their salary sacrifice arrangement, which payroll must also action as part of the processing of the form. If the arrangement is not cancelled, it will be continued with the selected fund on the same terms.

If an employee wishes to vary an existing salary sacrifice arrangement that the employer is obliged to continue in the newly selected fund, then they will need to cancel their current arrangement by ticking the relevant box on the Fund Selection Notice, and then complete a new salary sacrifice form and provide it to their employer.

Salary sacrifice arrangements that employers have with their employees under section 21(2) of the Triple S Act

Where a salary sacrifice payment is made pursuant to an award or enterprise agreement (Award) to Triple S or the employee's selected fund (if the employee has made a fund selection), that amount is a "salary sacrifice contribution" under the Triple S Act. The employer is obliged to pay that amount to the Treasurer (for Triple S) or if a fund selection has been made, to the selected fund, unless cancelled by the employee.

If the person makes a fund selection (or subsequent fund selection) with that salary sacrifice arrangement still in place, the employer is obliged to pay the salary sacrifice contributions to the new selected fund, unless cancelled by the employee.

No fee is permitted to be charged under the Act in the circumstances described above.



Min

Min's employer is making standard employer contributions to Triple S. Min then makes a fund selection to ABC Super. Min subsequently enters into a salary sacrifice arrangement (either directly by her employer or via a third party service provider) to make payments to ABC Super. Min makes a subsequent fund selection to XYZ Super. In addition to her standard employer contributions, salary sacrifice contributions will be required to be made to XYZ Super (unless Min cancels the arrangement).



Jenny

Jenny has an arrangement (either directly with her employer or via third party service provider) to make salary sacrifice contributions to Triple S pursuant to an Award. Jenny then makes a fund selection to ABC Super. In addition to her standard employer contributions, salary sacrifice contributions will be required to be made to ABC Super (unless Jenny cancels the arrangement).



Tom's employer is making standard employer contributions to Triple S and there is no arrangement to salary sacrifice to Triple S. Tom has, however, arranged for salary sacrifice contributions to be paid to ABC Super pursuant to an Award (either directly by his employer or via a third party service provider).

These contributions are not, at that point, "salary sacrifice contributions" under the Triple S Act because they are not being made to Triple S or a selected fund (noting Tom does not have any selected fund under the Act).

Tom subsequently makes a fund selection to ABC Super. At that point, ABC Super becomes Tom's selected fund under the Act and Tom's employer must make standard employer contributions to that fund. In addition, given the salary sacrifice contributions are now being paid to Tom's selected fund, these contributions become "salary sacrifice contributions" under the Triple S Act. This means that if Tom makes a subsequent fund selection to XYZ Super, the salary sacrifice contributions must be paid to XYZ Super (unless Tom cancels the arrangement).

Payments that are not made under section 21(2) of the Triple S Act

The following payments are not a "salary sacrifice contribution" under the Triple S Act. The employer has no obligations under the Triple S Act in respect of those contributions and any fund selections made under that Act do not apply in respect of them:

- the contribution is made, pursuant to an Award, to a super fund other than Triple S or the selected fund (in the case of an employee who has made a fund selection)
- the contribution is made to a selected fund, but not pursuant to an Award.



Prabhjit's employer is making standard employer contributions to Triple S, and there is no arrangement to salary sacrifice to Triple S. However, Prabhjit has arranged for salary sacrifice contributions to be paid to ABC Super pursuant to an Award.

Prabhjit

These contributions are not "salary sacrifice contributions" under the Triple S Act because they are not being made to Triple S or a selected fund.

Prabhjit then makes a fund selection to DEF Super. At that point, DEF Super becomes Prabhjit's selected fund and Prabhjit's employer must make standard employer contributions to that fund. However, given the salary sacrifice contributions are being made to ABC Super (and not to Triple S or Prabhjit's selected fund, DEF Super), they are not "salary sacrifice contributions" under the Triple S Act. The arrangement in respect of those contributions will not be affected if Tom then makes a subsequent fund selection.



Dinah

Dinah's employer is making standard employer contributions to Triple S and there is no arrangement to salary sacrifice to Triple S. Dinah has arranged for salary sacrifice contributions to be paid via a third-party service provider to XYZ Super, but not pursuant to an Award.

The arrangement will not be affected by any further fund selections that Dinah makes. For example, if Dinah subsequently makes a fund selection from Triple S to XYZ Super, the salary sacrifice contributions being made to XYZ Super will not become "salary sacrifice contributions" under the Triple S Act, because such contributions are not being made pursuant to an Award.

$\underline{A} \stackrel{\bigtriangleup}{\to} \underline{A}$ Employee action

If an employee wishes to make-after tax contributions to their selected fund they will need to contact that fund.

After-tax contributions

If an employee makes a fund selection away from Triple S or Super SA Select, then any after-tax contributions to these funds that are being deducted from salary must cease to be paid by the employer. One-off ad-hoc contributions may, however, be made directly by the member to their Triple S or Super SA Select accounts.

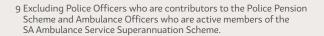
Police and Ambulance Officers

Special arrangements apply to SA Police Officers, SA Ambulance Operational staff and SA Ambulance staff who transferred into Triple S from the SA Ambulance Service Superannuation Scheme under age 60⁹.

In order to maintain their mandatory insurance and compulsory contribution obligations, these employees may make a fund selection between Triple S and Super SA Select.

These employees must maintain their compulsory contributions to the Super SA fund their employer contributions are made to.

For more information, please refer to the Triple S and Super SA Select Product Disclosure Statements.





Frequently Asked Questions

About Fund Selection

What is Fund Selection?

Most South Australian public sector employees have been required to have their employer contributions and any salary sacrifice or regular after-tax contributions paid to Triple S, Super SA's tax-deferred fund.

However, from 30 November 2022, eligible South Australian public sector employees will have the option to direct their South Australian Government employer contributions to a complying super fund of their choice. This is called Fund Selection.

South Australian Government employers will continue to make contributions to an employee's selected fund in accordance with their obligations under the Triple S Act.

When does Fund Selection commence?

From 30 November 2022.

Is Fund Selection voluntary?

Yes. If employees do nothing at all, their super will stay with Super SA with no interruption.

Eligibility

Who is eligible for Fund Selection?

The Fund Selection rules are contained within the Triple S Act.

Triple S members (including new South Australian public sector employees) will be eligible for Fund Selection where their employer is required to make standard employer contributions to Triple S (or to another fund following a fund selection, including Super SA Select) at the superannuation guarantee rate, unless expressly excluded. Please refer to page 8 for more information.

Special arrangements apply to Triple S members from South Australia Police (SAPOL) and the South Australian Ambulance Service (SAAS). Please refer to page 21 for more information.

How will Fund Selection impact people employed on a contract with a start and end date (fixed term contract)?

Most South Australian public sector employees employed via a fixed term contract are members of Triple S and will therefore be eligible for Fund Selection.

However, some employees (eg. executives) employed on a fixed term contract may already have the right under the Triple S Act to have their super paid to another fund pursuant to the terms of their contract (specifically, where their employment contract states contributions should be directed to a complying super fund other than Super SA).

If such an employee has exercised this option in their contract, then they are not a Triple S member in respect of that employment and Fund Selection is therefore not available to them. However, they may continue to nominate a super fund of their choice by amending their contract. These employees may also amend their contract to again be subject to the Triple S Act, they will then be eligible for Fund Selection. Once this occurs, they will be able to select a new fund via the Fund Selection Notice.

If, however, such employees have not exercised this option in their contract and their employer is therefore contributing to Triple S, they are eligible to make a fund selection in respect of that employer.

The Fund Selection Notice

What is a Fund Selection Notice?

This is the form an employee needs to complete to direct their employer to make contributions to another super fund. Once completed, this form must be lodged with the employer, at which point the employee will be considered to have made a fund selection.

Fund selection does not take effect until the employer makes the first contribution to their selected fund. Employers have two months from the date they receive a valid Fund Selection Notice to begin to pay contributions into the employee's selected fund. In the meantime, employers must continue to contribute to the employee's existing fund (eg Triple S) within seven days of payment of salary.

When must a South Australian Government employer provide a Fund Selection Notice to an employee?

- immediately when a person commences employment
- within 28 days of a request for a form being received from an existing employee
- within 28 days of becoming aware of a fund no longer being able to receive contributions or it is no longer a complying fund.

What does an employer do when they receive a Fund Selection Notice from an employee?

Once a Fund Selection Notice has been received, the employer must check that the form is complete and check that the employee is eligible.

Following these checks, the employer:

- Completes Section 6 of the form and forwards this onto the payroll team for processing.
- Contributions must commence to the new fund within two months of the date a fully completed form was received.

As part of your contribution remittance process, Super SA is required to be notified of an employee's first fund selection within 14 days from the date the first contribution was made.

Shared Services SA customers:

You should refer to the Service Design/ Operating Responsibilities which is provided for each service delivered to clients for Fund Selection responsibility and timeframes.

Reporting obligations

Does an employer have an obligation to report details of any fund selection to Super SA?

Yes, under the Fund Selection legislation, employers (through their payroll provider) must report the following to Super SA:

- Details of the employee's first fund selection, within 14 days of making the first contribution to the employee's selected fund.¹⁰
- 2. Monthly statistical reporting must be sent to Super SA within 30 days, following the end of the month. Report must detail:
 - a. the total number of employees
 - b. the number of employees who have made a fund selection
 - c. for each selected super fund, the number of employees who have selected that fund.

For payrolls without automated reporting, please refer to Appendix 2 for guidance on reporting requirements.

Shared Services SA customers:

You should refer to the Service Design/ Operating Responsibilities which is provided for each service delivered to clients for Fund Selection responsibility and timeframes.

Making a fund selection

How does an eligible employee make a fund selection?

To make a valid fund selection an employee will need to complete a Fund Selection Notice and lodge it with their employer. If an employee has multiple South Australian Government employers they will need to complete a Fund Selection Notice for each employer for which they wish to make a fund selection.

An employee will be able to make subsequent fund selections (including back to Triple S or Super SA Select), however employers are not obligated to accept more than one fund selection every 12 months.

Can an employee make a fund selection to more than one fund?

South Australian Government employer contributions must be directed into a single fund. However, if an employee has multiple South Australian Government employers a different fund can be selected for each employer.

What if an employee works for more than one South Australian Government employer?

A fund selection must be made in relation to each employer. The employee will need to lodge a Fund Selection Notice with each individual employer if they want all their employer contributions to go to their selected fund.

If an employee has more than one employee number with an agency due to multiple types of employment, any fund selection made will apply to all their employee numbers (all their types of employment) in respect of that employer.

How does an employee know who their employer is?

An employee can confirm who their employer(s) is by checking their payslip. In some cases an employee may not be aware of who their employer is. For example, an employee may believe they are employed by one employer, SA Health, when they are employed by both Central Adelaide Local Health Network and Southern Adelaide Local Health Network.

Where can an employee request their employer super contributions be paid to?

Triple S is the default fund that South Australian Government employer contributions will be paid into unless a fund selection is made.

An eligible employee can request their contributions be paid to any of the following:

- Super SA Select
- Any Australian Prudential Regulation Authority (APRA) regulated fund or Retirement Savings Account (RSA)
- Self-managed super fund (SMSF).

Employees are required to provide evidence that their selected super fund is a complying fund. An eligible employee is also able to make subsequent fund selections, including back to Triple S or Super SA Select.

Will an employee be charged a fee for making a fund selection?

No. The employer and Super SA are not permitted to charge a fee for making a fund selection, including in relation to the continuation of any existing salary sacrifice arrangement.

How long will it take for an employee's fund selection to come into effect?

Fund selection does not take effect until the employer makes the first contribution to the selected fund. Employers have two months from the date they receive a valid Fund Selection Notice to begin to pay contributions into the employee's selected fund. In the meantime, employers must continue to contribute to the employee's existing fund (eg Triple S) within seven days of payment of salary.

What is the default arrangement where no fund selection has been made?

In accordance with the Triple S Act, employees will have their South Australian Government employer contributions paid into Triple S, including new employees, unless they make a fund selection.

Employee contributions

How will an employee's salary sacrifice contributions be impacted by a fund selection?

If an employee is making salary sacrifice contributions pursuant to an award or enterprise agreement and is making them to Triple S or their selected fund (if the employee has made a fund selection), their salary sacrifice contributions will continue to any fund they select, unless they choose to cancel that arrangement.

For further information and examples regarding salary sacrifice and Fund Selection please see the Salary Sacrifice section on page 18.

Employees should be aware that there is no annual limit to the amount of concessional contributions (employer and salary sacrifice contributions) that can made to Triple S as it is a tax-deferred fund, but there is a limit to the amount that will be taxed concessionally on exit.¹¹ However, if an employee directs their salary sacrifice contributions into a taxed fund, these contributions as well as employer contributions will count towards an annual concessional contribution cap¹². It is the employee's responsibility to be aware of this cap and any impacts breaching this cap may have and seek financial advice accordingly.

How will an employee's regular after-tax contributions be impacted by a fund selection?

If an employee makes a fund selection away from Triple S or Super SA Select, then any after-tax contributions to these funds that are being deducted from salary must cease to be paid by the employer. One-off ad-hoc contributions may, however, be made directly by the member to their Triple S or Super SA Select accounts.

If an employee wishes to make-after tax contributions to their selected fund they will need to contact that fund.

Subsequent fund selections

What is a subsequent fund selection?

Employees can only choose one fund at a time for each employer, but can make subsequent fund selections for that employer. An employer is not obligated to accept more than one fund selection every 12 months.

An employee can choose to make a subsequent fund selection to any complying fund, including back to Triple S or Super SA Select. If their previous Super SA account has been closed, then a new account will be created once contributions are received.

How frequently can an employee make a fund selection?

Employers are not required to accept a further fund selection where a fund selection has already been made within the last 12 months.

This rule does not apply if the selected fund is unable to accept contributions. In this case, the employer must provide the employee with a Fund Selection Notice within 28 days.

¹¹ As Triple S is a tax-deferred fund, there is a lifetime untaxed plan cap for concessional contributions (employer and salary sacrifice) and earnings taxed at concessional tax rates. Amounts above this cap will be taxed at a higher rate. Refer to the Triple S Product Disclosure Statement for details regarding the lifetime untaxed plan cap.

¹² Refer to the ATO website for details regarding the annual concessional contribution cap.

Can an employee make a fund selection back to Triple S?

Yes. Eligible employees may make a fund selection back to Triple S, including if the original fund selection was made to Super SA Select.

How is an employee's insurance impacted by subsequent fund selections?

Please refer to the insurance section on page 28 for further information.

What happens if the fund selected by the employee is no longer able to accept contributions?

The employer must provide the employee with a new Fund Selection Notice within 28 days of becoming aware that the fund can no longer receive contributions.

- The employee has 14 days to return the Fund Selection Notice.
- If the employee does not return the form in this timeframe, contributions must be made to Triple S (including any arrears required from the date the selected fund ceased to be able to accept contributions).

Where to direct employees to more information on Fund Selection

Where can an employee find more information before exercising Fund Selection?

Employees can visit <u>supersa.sa.gov.au</u> and should consider seeking financial advice before exercising Fund Selection.

In particular, employees should also ensure that they consider the implications of their fund selection, particularly the loss of any insurance offered through Triple S, before making a decision about Fund Selection.

What else is changing that I might get asked about?

While this document focuses on your role in Fund Selection, it's important for you to know that there are a range of changes coming into effect on 30 November 2022 that are providing more options for Super SA members. You don't have a role to play in processing these changes, but you may be asked about them.

Triple S and Super SA Select members will have the ability to transfer part of, or their entire account balance to other complying super funds while they are still employed, subject to meeting certain conditions and minimums.

Super SA will also introduce the ability for eligible Triple S and Super SA Select members to direct contributions from employers other than the South Australian Government to Super SA Select.

Appendix 1: Insurance

This information is provided to employers for information purposes only.

How a fund selection will impact an eligible member's Triple S insurance cover for:

- Death and Total & Permanent Disablement (TPD) insurance
- Income Protection (IP)

 The table below assumes a member is making a fund selection while remaining employed with their same South Australian Government employer/s. The table is not applicable to new employees who immediately make a fund selection upon their commencement of employment with the South Australian public sector, never receive any contributions into Triple S, and do not have a preserved balance in Triple S.

If a member makes a fund selection	and they hold insurance within their Triple S account immediately prior to a fund selection	and they do not hold insurance within their Triple S account immediately prior to a fund selection
From Triple S to Super SA Select or vice versa	The member's existing Death and TPD and Income Protection cover will continue, even if they rollover their full account balance from Triple S to Super SA Select (or vice versa). ¹³	The member will be issued with default Death and TPD, and Income Protection cover. ^{13.14}
From Triple S or Super SA Select to a non-Super SA Fund	The member's existing Death and TPD cover will continue, subject to the member retaining a sufficient Triple S or Super SA Select account balance to meet insurance premiums. The member's Income Protection cover will be cancelled. ¹⁵	No cover applies.
From a non-Super SA fund back to Triple S or Super SA Select	Any existing Death and TPD cover held will continue. ¹² Income Protection generally will not have been held, as it would have been cancelled when a fund selection was made to a non-Super SA Fund. ^{14.16}	The member will be issued with default Death & TPD and Income Protection cover. ¹⁴

Note: Any Death & TPD and Income Protection cover held will cease upon termination of South Australian public sector employment or closure of a member's Triple S/Super SA Select account.

Eligible Super SA Select members are able to access insurance cover through the Triple S Scheme.

¹⁶ If a member continues to hold Triple S IP cover during the period of the fund selection out of Super SA because another SA Government employer(s) continues to make contributions to a Super SA scheme (see footnote 15), that cover will continue on the same terms and conditions when the fund selection to a Super SA scheme takes effect (noting the salary in respect of the employment to which the fund selection back to Super SA relates, will again be included in the member's IP premium calculation and notional salary in the event of a claim).



¹³ If a member only holds IP cover, they will be issued with default Death & TPD cover. If a member only holds Death & TPD cover, they will be issued with default Income Protection cover.

¹⁴ Subject to eligibility and a 12 month pre-existing condition restriction. Death insurance is not payable where a claim arises from suicide within the first 12 months after the cover is issued.

¹⁵ If a member has more than one SA Government employer and has not exercised fund selection in respect of all employers, any IP held will continue on the same terms and conditions (noting the salary in respect of the employment to which the fund selection out of Super SA relates, will be excluded from the member's Income Protection premium calculation and notional salary in the event of a claim).

Appendix 2: Fund Selection reporting

Details of an employee's first fund selection

Super SA is required to adjust its membership records where a fund selection is made out of Triple S and Super SA Select. Employers are therefore required to notify Super SA of an employee's first fund selection within 14 days of the fund selection being made (which is the date that the first contribution is made to the selected fund).

For some payroll providers, this process will be automated. Where it is not automated, the information will need to be emailed to Super SA at <u>agency@sa.gov.au</u>.

Fund Selection file data format example

Example Fund Selection file format (based on contribution file currently provided, noting required and optional fields)

ltem no.	Item Name	Туре (*)	Length	Entry (#)	Comments
1	Payroll ID	AN	8	R	Used to help in identification of each member (per Employee's payslip)
2	Super ID	N	8	0	Employee's Superannuation Id Number (Must be 8 Digits with leading zeros if applicable)
3	Title	А	4	0	
4	Given Names	А	41	R	Do not include commas, etc. Spaces should be inserted between each name
5	Surname	А	40	R	Alphabetic Characters. (Hyphens etc will be accepted)
6	Date of Birth	Ν	8	R	Must be in DDMMYYYY format
7	Home Address 1	AN	40	R	If file is comma separated, then no commas able to be used
8	Home Address 2	AN	40	0	If file is comma separated, then no commas able to be used
9	Home Suburb	AN	40	R	If file is comma separated, then no commas able to be used
10	Home Postcode	AN	5	R	Up to five digits, with leading zero if applicable
11	Postal Address 1	AN	40	0	If file is comma separated, then no commas able to be used
12	Postal Address 2	AN	40	0	If file is comma separated, then no commas able to be used

ltem no.	Item Name	Туре (*)	Length	Entry (#)	Comments
13	Postal Suburb	AN	40	0	If file is comma separated, then no commas able to be used
14	Postal Postcode	AN	5	0	Up to five digits, with leading zero if applicable
15	Employing Agency	Ν	3	R	Super SA's numeric agency code to identify agency (Must be 3 Digits with leading zeros if applicable)
16	Date commenced in Employing agency	Ν	8	R	Date Employee commenced their current employment arrangement/contract. Refer to the Break in service section in this Guide (page 12) for more information. Must be in DDMMYYYY format
17	Current Employment Status	Ν	3	R	001 = Full Time 002 = Part Time 005 = Casual
18	Employment Category	Ν	3	R	900 = Operational Ambulance Employees 850 = Police Cadets 800 = Police Officers 000 = All other Employees
19	Tax File Number	Ν	9	0	To be shown if authorised by Employee. If included the TFN must be 9 digits and include any leading zeros. If no TFN is present this field must be blank filled.
20	Mobile Telephone No	Ν	20	0	Field required to be left blank, unable to be provided due to privacy
21	Personal Email	AN	60	0	Field required to be left blank, unable to be provided due to privacy
22	Super SA fund selected	A	6	0	Only populated if Fund Selection is to Triple S or Select (leave field blank if Fund Selection is to a non Super SA super fund) Fund Selection to Select = 006 Fund Selection to Triple S = 000/003/004/005/014/210 (any one of these 6 codes can be used)
23	Pay period start date (see following page for guidance)	Ν	8	0	Start of pay period where contributions are being redirected to new super fund (following Fund Selection). Must be in DDMMYYYY format.
24	Payment date of first contribution	Ν	8	R	This will be the date the Fund Selection takes effect (i.e. the date the first contribution is paid to the new fund) including any insurance related updates. Must be in DDMMYYYY format.

Key:

Туре

A: Alpha (letters) N: Numeric (numbers) AN: Alphanumeric (letters and numbers)

Entry

R: Required

O: Optional

Super SA Scheme Codes

001: Pension Scheme

- 002: Lump Sum Scheme
- 003: Triple S Scheme
- 004: Triple S Scheme (Salary Sacrifice)

005: Triple S Scheme (Executive or Visiting medical officers)

- 006: Super SA Select
- 014: Visiting medical officers
- 210: General 3% contribution members
- 999: Ineligible Employee (No Scheme)

Pay period start date

The Pay period start date is the start date of the pay period in which the first contribution is made to the selected fund. For new starters this may be their employment start date if the pay period start date is before this date, as illustrated below.

Example scenarios of pay period start date	Employment commencement date	Pay period of first contribution to the selected fund	Pay period start date
New starter	8/02/2023	5/02/2023 - 19/02/2023	8/02/2023
Existing employee (paid ongoing)	1/07/2018	5/02/2023 - 19/02/2023	5/02/2023
Existing employee (unpaid leave on making fund selection, return date 5/04/2023)	1/07/2018	2/04/2023 - 16/04/2023	2/04/2023

Monthly statistical reporting

As part of the legislation, statistical information is required to be provided to Super SA in relation to fund selections. For this purpose, a file is required to be provided to Super SA within 30 days, following the end of each month, with the required data at the consolidated level (and not at the individual employee level). Please see below for an example of the details that are required.

Agency	Employees	Exercised Fund Selection Y/N	Fund Selected
Dept of Education	8,000	Ν	Triple S
	2,000	Y	ABC Super
	4,000	Y	DEF Super
	1,000	Y	XYZ Super

Other reporting

Super SA will need the following termination details for all members.

ltem No.	Item Name	Comments
1	Date of termination	Must be in DDMMYYYY format
2	Reason for termination	For example: resignation, retirement, invalidity.
3	Employment status	001 = Full Time 002 = Part Time 005 = Casual
4	Last contribution date	Must be in DDMMYYYY format

We're here to help.

Our Business Relationship Managers can help you with your Fund Selection questions.

Contact your Business Relationship Manager directly or email <u>DTFSuperSABRMS@sa.gov.au</u>



supersa.sa.gov.au